

THE DEPARTMENT OF HOMELAND SECURITY

The President's most important job is to protect and defend the American people. Since September 11, all levels of government have cooperated like never before to strengthen aviation and border security, stockpile more medicines to defend against bioterrorism, improve information sharing among our intelligence agencies, and deploy more resources and personnel to protect our critical infrastructure.

The changing nature of the threats facing America requires a new government structure to protect against invisible enemies that can strike with a wide variety of weapons. Today no one single government agency has homeland security as its primary mission. In fact, responsibilities for homeland security are dispersed among more than 100 different government organizations. America needs a single, unified homeland security structure that will improve protection against today's threats and be flexible enough to help meet the unknown threats of the future.

The President proposes to create a new Department of Homeland Security, the most significant transformation of the U.S. government in over a half-century by largely transforming and realigning the current confusing patchwork of government activities into a single department whose primary mission is to protect our homeland. The creation of a Department of Homeland Security is one more key step in the President's national strategy for homeland security.

Immediately after last fall's attack, the President took decisive steps to protect America – from hardening cockpits and stockpiling vaccines to tightening our borders. The President used his maximum legal authority to establish the White House Office of Homeland Security and the Homeland Security Council to ensure that our federal response and protection efforts were coordinated and effective. The President also directed Homeland Security Advisor Tom Ridge to study the federal government as a whole to determine if the current structure allows us to meet the threats of today while anticipating the unknown threats of tomorrow. After careful study of the current structure – coupled with the experience gained since September 11 and new information we have learned about our enemies while fighting a war – the President concluded that our nation needs a more unified homeland security structure. In designing the new Department, the Administration considered a number of homeland security organizational proposals that have emerged from outside studies, commissions, and Members of Congress.

The Department of Homeland Security would make Americans safer because our nation would have:

- **One department whose primary mission is to protect the American homeland;**
- **One department to secure our borders, transportation sector, ports, and critical infrastructure;**
- **One department to synthesize and analyze homeland security intelligence from multiple sources;**
- **One department to coordinate communications with state and local governments, private industry, and the American people about threats and preparedness;**
- **One department to coordinate our efforts to protect the American people against bioterrorism and other weapons of mass destruction;**
- **One department to help train and equip for first responders;**
- **One department to manage federal emergency response activities; and**
- **More security officers in the field working to stop terrorists and fewer resources in Washington managing duplicative and redundant activities that drain critical homeland security resources.**

THE ORGANIZATION OF THE DEPARTMENT OF HOMELAND SECURITY

The Department of Homeland Security would have a clear and efficient organizational structure with four divisions:

- **Border and Transportation Security**
- **Emergency Preparedness and Response**
- **Chemical, Biological, Radiological and Nuclear Countermeasures**
- **Information Analysis and Infrastructure Protection**

BORDER AND TRANSPORTATION SECURITY

The Department would unify authority over major federal security operations related to our borders, territorial waters, and transportation systems. It would assume responsibility for operational assets of the Coast Guard, Customs Service, Immigration and Naturalization Service and Border Patrol, the Animal and Plant Health Inspection Service of the Department of Agriculture, and the recently created Transportation Security Administration – allowing a single government entity to manage entry into the United States. It would ensure that all aspects of border control, including the issuing of visas, are informed by a central information-sharing clearinghouse and compatible databases.

EMERGENCY PREPAREDNESS AND RESPONSE

The Department would oversee federal government assistance in the domestic disaster preparedness training of first responders and would coordinate the government's disaster response efforts. FEMA would become a central component of the Department of Homeland Security, and the new Department would administer the grant programs for firefighters, police, and emergency personnel currently managed by FEMA, the Department of Justice, and the Department of Health and Human Services. The Department would also manage such critical response assets as the Nuclear Emergency Search Team (Department of Energy) and the National Pharmaceutical Stockpile (Health and Human Services). Finally, the Department would integrate the federal interagency emergency response plans into a single, comprehensive, government-wide plan, and ensure that all response personnel have the equipment and capability to communicate with each other as necessary.

CHEMICAL, BIOLOGICAL, RADIOLOGICAL AND NUCLEAR COUNTERMEASURES

The Department of Homeland Security would lead the federal government's efforts in preparing for and responding to the full range of terrorist threats involving weapons of mass destruction. To do this, the Department would set national policy and establish guidelines for state and local governments. It would direct exercises and drills for federal, state, and local chemical, biological, radiological, and nuclear (CBRN) attack response teams and plans. The result of this effort would be to consolidate and synchronize the disparate efforts of multiple federal agencies currently scattered across several departments. This would create a single office whose primary mission is the critical task of protecting the United States from catastrophic terrorism.

Chemical, Biological, Radiological and Nuclear Terrorism. The Department would be the lead agency preparing for and responding to chemical, biological, radiological, and nuclear terrorism, including agro-terrorism. The Department would unify three of America's premier centers of excellence in this field, including the Lawrence Livermore National Laboratory (Department of Energy). The Department would

also manage national efforts to develop diagnostics, vaccines, antibodies, antidotes, and other countermeasures.

Science and Technology. In the war against terrorism, America's vast science and technology base provides us with a key advantage. The Department would press this advantage with a national research and development enterprise for homeland security comparable in emphasis and scope to that which has supported the national security community for more than fifty years. The new Department would consolidate and prioritize the disparate homeland security related research and development programs currently scattered throughout the Executive Branch. It would also assist state and local public safety agencies by evaluating equipment and setting standards.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

Intelligence and Threat Analysis. The Department would fuse and analyze intelligence and other information pertaining to threats to the homeland from multiple sources – including the CIA, NSA, FBI, INS, DEA, DOE, Customs, DOT and data gleaned from other organizations. The Department would merge under one roof the capability to identify and assess current and future threats to the homeland, map those threats against our current vulnerabilities, issue timely warnings, and immediately take or effect appropriate preventive and protective action. An important partner with the Department's intelligence and threat analysis division will be the newly formed FBI Office of Intelligence. The new FBI and CIA reforms will provide critical analysis and information to the new Department.

Protecting America's Critical Infrastructure. The Department would be responsible for comprehensively evaluating the vulnerabilities of America's critical infrastructure, including food and water systems, agriculture, health systems and emergency services, information and telecommunications, banking and finance, energy (electrical, nuclear, gas and oil, dams), transportation (air, road, rail, ports, waterways), the chemical and defense industries, postal and shipping entities, and national monuments and icons. Working closely with state and local officials, other federal agencies, and the private sector, the Department would help ensure that proper steps are taken to protect high-risk targets.

OTHER KEY COMPONENTS

State/Local Government & Private Sector Coordination. The Department would consolidate and streamline relations with the federal government for America's state and local governments. The new Department would contain an intergovernmental affairs office to coordinate federal homeland security programs with state and local officials. This new Department would give state and local officials one primary contact instead of many when it comes to matters related to training, equipment, planning, and other critical needs such as emergency response.

Secret Service. The Department would incorporate the Secret Service, which would report directly to the Secretary. The Secret Service would remain intact and its primary mission will remain the protection of the President and other government leaders. The Secret Service would also continue to provide security for designated national events, as it did for the recent Olympics and the Super Bowl.

The White House Office of Homeland Security and the Homeland Security Council. The White House Office of Homeland Security and the Homeland Security Council will continue to play a key role, advising the President and coordinating a vastly simplified interagency process.

Non-Homeland Security Functions. The new Department would have a number of functions that are not directly related to securing the homeland against terrorism. For instance, through FEMA, it would be responsible for mitigating the effects of natural disasters. Through the Coast Guard, it would be responsible for search and rescue and other maritime functions. Several other border functions, such as drug interdiction operations and naturalization, and would also be performed by the new Department.

INTERIM STEPS

The President – using the maximum legal authority available to him – created the Office of Homeland Security and the Homeland Security Council in the weeks following the attack on America as an immediate step to secure the homeland. Since then, the government has strengthened aviation and border security, stockpiled more medicines to defend against bio-terrorism, improved information sharing among our intelligence agencies, and deployed more resources and personnel to protect our critical infrastructure.

The White House Office of Homeland Security will continue to coordinate the federal government's homeland security efforts and to advise the President on a comprehensive Homeland Security strategy. The current components of our homeland security structure will continue to function as normal and there will be no gaps in protection as planning for the new Department moves forward.

Preliminary planning for the new Department has already begun. The formal transition would begin once Congress acts on the President's proposal and the President signs it into law. The President calls on Congress to establish the new Department by the close of their current session – with full integration of the constituent parts occurring over a phased-in period.

SPECIFIC EXAMPLES OF HOW THE NEW DEPARTMENT WILL MAKE AMERICA SAFER

EXAMPLE: REMOVING BARRIERS TO EFFICIENT BORDER SECURITY

Currently, when a ship enters a U.S. port, Customs, INS, the Coast Guard, the U.S. Department of Agriculture, and others have overlapping jurisdictions over pieces of the arriving ship. Customs has jurisdiction over the goods aboard the ship. INS has jurisdiction over the people on the ship. The Coast Guard has jurisdiction over the ship while it is at sea. Even the Department of Agriculture has jurisdiction over certain cargoes. Although the Coast Guard does have the authority to act as an agent for these other organizations and assert jurisdiction over the entire vessel, in practice the system has not worked as well as it could to prevent the illegal entry of potential terrorists and instruments of terror.

Consider this scenario: if the Coast Guard stops a ship at sea for inspection and finds there are illegal immigrants on the ship, the Coast Guard relies on the INS to enforce U.S. immigration law and prevent their entry. If the Coast Guard finds potentially dangerous cargo, it relies on Customs to seize the dangerous cargo. Unfortunately, these organizations may not always share information with each other as rapidly as necessary.

So, instead of arresting potential terrorists and seizing dangerous cargo at sea, our current structure can allow these terrorists to enter our ports and potentially sneak into our society. The system might also allow the dangerous cargo to actually enter our ports and threaten American lives.

Under the President's proposal, the ship, the potentially dangerous people, and the dangerous cargo would be seized at sea by one Department that has no question about either its mission or its authority to prevent them from reaching our shores.

EXAMPLE: PROTECTING OUR NATION'S CRITICAL INFRASTRUCTURE

Nearly five million Americans live within a five mile radius of the most hazardous chemical facilities in the nation. Right now there is no single agency in the government whose core mission is to protect against and respond to an attack on one of these major facilities.

Consider the current homeland security apparatus facing a non-citizen that intends to enter our nation and attack one of our chemical facilities. At our border, INS, Customs, Border Patrol, the Coast Guard, and others share jurisdiction over preventing this person's entry. These government organizations may or may not share information, which makes it possible that this potential terrorist might slip through the cracks.

Currently, at least twelve different government entities oversee the protection of our critical infrastructure. These many government entities may or may not share all information, and state and local governments must work with twelve separate contacts just to help protect their local infrastructure.

Under the President's proposal, the same Department that analyzes intelligence data on the potential terrorist who wants to attack the chemical plant would also be the same Department that can simultaneously alert our border security operatives, alert all of our hazardous materials facilities to ensure that they are prepared to meet this specific new threat from this specific terrorist, and alert all of the affected communities.

EXAMPLE: COMMUNICATING TO THE AMERICAN PEOPLE

Currently, if a chemical or biological attack were to occur, Americans could receive warnings and health care information from a long list of government organizations, including HHS, FEMA, EPA, GSA, FBI, DOJ, OSHA, OPM, USPS, DOD, USAMRIID, and the Surgeon General – not to mention a cacophony of state and local agencies.

There is currently no single organization with operational responsibility that could communicate with the American people in a clear, concise, and consistent voice.

Consider another recent example. Information was provided to local law enforcement entities by multiple U.S. government organizations about potential threats to the Brooklyn Bridge, apartment complexes, shopping malls, the Statue of Liberty, subways and public transit systems, our oil and gas infrastructure, and our financial system.

Under the President's proposal, a single government Department would communicate with the American people about a chemical or biological attack. The new Department would also be the organization that coordinates provision of specific threat information to local law enforcement and sets the national threat level. The new Department would ensure that local law enforcement entities – and the public – receive clear and concise information from their national government. Citizens would also have one Department telling them what actions – if any – they must take for their safety and security.

EXAMPLE: INTELLIGENCE SHARING AND COMPREHENSIVE THREAT ANALYSIS

Multiple intelligence agencies analyze their individual data, but no single government entity exists to conduct a comprehensive analysis of all incoming intelligence information and other key data regarding terrorism in the United States. There is no central clearinghouse to collect and analyze the data and look for potential trends.

Under the President's proposal, the new Department would contain a unit whose sole mission is to assemble, fuse, and analyze relevant intelligence data from government sources, including CIA, NSA, FBI, INS, DEA, DOE, Customs, and DOT, and data gleaned from other organizations and public sources. With this big-picture view, the Department would be more likely to spot trends and would be able to direct resources at a moment's notice to help thwart a terrorist attack.

EXAMPLE: DISTRIBUTION OF KEY PHARMACEUTICALS

Potassium Iodide (KI) is a drug that helps prevent thyroid cancer in the event of exposure to radiation. The drug must be taken within hours of exposure for maximum effectiveness.

Currently, if you live within a ten-mile radius of a nuclear power facility, the distribution of Potassium Iodide is regulated by the Nuclear Regulatory Commission (NRC). The NRC is responsible for getting people this crucial drug, even though the NRC's actual mission is to license nuclear facilities, not provide emergency supplies to the greater population. Outside the ten-mile radius of the nuclear facility, the Federal Emergency Management Agency (FEMA) is responsible for regulating the distribution of Potassium Iodide. The Department of Health and Human Services controls the national pharmaceutical stockpiles that are to be sent rapidly into emergencies. And other government agencies would control evacuation of the emergency zone. To make matters even more confusing, if you happen to live within a ten-mile radius of a nuclear weapons facility, the Department of Energy controls the distribution of the Potassium Iodide.

In the event of radiation exposure, states must currently work with three separate government organizations to distribute critical pharmaceuticals, organizations whose jurisdictions are divided by an invisible ten-mile border. Consider this possible scenario: the NRC and the state decide to distribute Potassium Iodide to everyone within the ten-mile radius. FEMA, however, disagrees with the state and decides against distributing the drug outside the ten-mile radius. In the middle of the NRC, FEMA and state decision process, the state and local governments decide to begin an evacuation. In the ensuing chaos, many exposed individuals might not receive the critical drugs they need.

Under the President's proposal, one Department would be responsible for distributing Potassium Iodide to citizens exposed – no matter where they live. There would no longer be an artificial ten-mile barrier to treatment. This same single Department would also be responsible for coordination with state and local officials on immediate evacuation from the emergency zone.

BRIEF HISTORY OF GOVERNMENT REORGANIZATION

History teaches us that critical security challenges require clear lines of responsibility and the unified effort of the U.S. government. History also teaches us that new challenges require new organizational structures.

For example, prior to 1945, America's armed forces were inefficiently structured with separate War and Navy Departments and disconnected intelligence units. There were no formal mechanisms for cooperation. After World War II, the onset of the Cold War required consolidation and reorganization of America's national security apparatus to accomplish the new missions at hand.

America needed a national security establishment designed to prevent another attack like Pearl Harbor, to mobilize national resources for an enduring conflict, and to do so in a way that protected America's values and ideals. In December 1945, only months after America's decisive victory in World War II, President Harry Truman asked Congress to combine the War and Navy Departments into a single Department of Defense. President Truman declared, "it is now time to take stock to discard obsolete organizational forms and to provide for the future the soundest, most effective and most economical kind of structure for our armed forces of which this most powerful Nation is capable. I urge this as the best means of keeping the peace."

President Truman's goals were achieved with the National Security Act of 1947 and subsequent amendments in 1949 and 1958. The legislation consolidated the separate military Departments into the Department of Defense with a civilian secretary solely in charge, established a Central Intelligence Agency to coordinate all foreign intelligence collection and analysis, and created the National Security Council in the White House to coordinate all foreign and defense policy efforts.

This reorganization of America's national security establishment was crucial to overcoming the enormous threat we faced in the Cold War and holds important lessons for our approach to the terrorist threat we face today.

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